

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Index #

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JILL AAL,

Plaintiff(s) designate

NEW YORK

County as the place of trial

Plaintiff(s),

The basis of the venue is  
location of accident.

-against-

D&A CONTRACTING, LLC, THOMAS A.  
MICHETTI, 3RD,**SUMMONS**

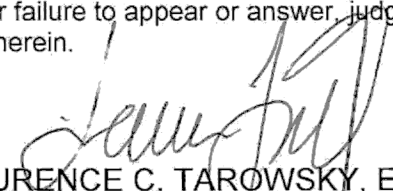
Defendant(s)

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To the above named Defendant(s)

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated: September 9, 2021

  
LAURENCE C. TAROWSKY, ESQ.  
Attorney for plaintiff(s)  
575 Madison Avenue, 10<sup>th</sup> Floor  
New York, New York 10022  
(212) 947-2099

Defendant's address:

D&A Contracting, LLC, 322 Route 46W, Suite 120, Parsippany, NJ 07054  
Thiomas A. Michetti, 3<sup>rd</sup>, 293-A Center Street, Landing, NJ 07850

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Index #

-----X  
JILL AAL,

Plaintiff,

VERIFIED COMPLAINT

-against-

D&amp;A CONTRACTING, LLC, THOMAS A. MICHETTI, 3RD,

Defendants.  
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Plaintiff, by her attorney, LAURENCE C. TAROWSKY, ESQ., complaining of the defendants herein, respectfully sets forth the following, upon information and belief:

1. That at all times herein mentioned, the defendant, D&A CONTRACTING, LLC, hereinafter referred to as "D&A", was a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

2. That at all times herein mentioned, D&A, was a foreign corporation conducting business under and by virtue of the laws of the State of New York.

3. That at all times herein mentioned, D&A, was a partnership or other form of business entity conducting under and by virtue of the laws of the State of New York.

4. That at all times herein mentioned, D&A, was transacting business within the State of New York.

5. That at all times herein mentioned, defendant, D&A, was the owner of a 2019 Kenworth commercial truck motor vehicle with vehicle identification number 1NKWXPTX6KJ282650 (NJ).

6. That at all times herein mentioned, defendant, THOMAS A. MICHETTI, 3RD, was in physical charge, operation, management and control of the aforesaid

motor vehicle owned by the defendant, D&A, with the knowledge, consent and permission, either express or implied, of the defendant owner thereof.

7. That at all times herein mentioned, the plaintiff, JILL AAL, was the operator of a 2020 motor vehicle bearing license plate number KDS5584 (NY), and was operating same in a lawful and proper manner.

8. The defendants, and each of them, are non-residents of the State of New York, and are subject to the provisions of Section 253 of the Vehicle and Traffic Law of the State of New York, as a result of the within occurrence which took place while the defendants were operating their motor vehicle within the State of New York.

9. That on the 20th day of October, 2020, at approximately 10:00 a.m., the defendants, and each of them, so carelessly and negligently operated their aforesaid motor vehicle so as to cause the same to come into contact with and strike the vehicle being operated by the plaintiff, on 47<sup>th</sup> Street, between 5<sup>th</sup> and 6<sup>th</sup> Avenue, in the County, City and State of New York.

10. That as a result of the foregoing, this plaintiff was caused to and did sustain severe and serious personal injuries and was required to seek and obtain medical care and attention in an effort to cure and/or alleviate the same and will be compelled to do so in the future.

11. That the aforesaid occurrence and the injuries sustained by this plaintiff were caused wholly and solely by reason of the negligence and carelessness of the defendants.

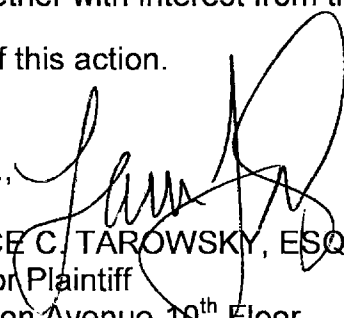
12. That this action falls within one or more of the exceptions of CPLR Article 16.

13. That this plaintiff has sustained a serious injury as the same is defined in the Insurance Law of the State of New York.

14. By reason of the foregoing, the plaintiff has been damaged in a sum of money exceeding the monetary jurisdiction of all lower courts in which this action could be brought.

WHEREFORE, the plaintiff, JILL AAL, demands judgment against the defendants in a sum of money exceeding the monetary jurisdiction of all lower courts in which this action could be brought; all together with interest from the date of loss, together with the costs and disbursements of this action.

Yours, etc.,



LAURENCE C. TAROWSKY, ESQ.  
Attorney for Plaintiff  
575 Madison Avenue-10<sup>th</sup> Floor  
New York, NY 10022  
212-947-2099

ATTORNEY AFFIRMATION

STATE OF NEW YORK, COUNTY OF NEW YORK ss.:

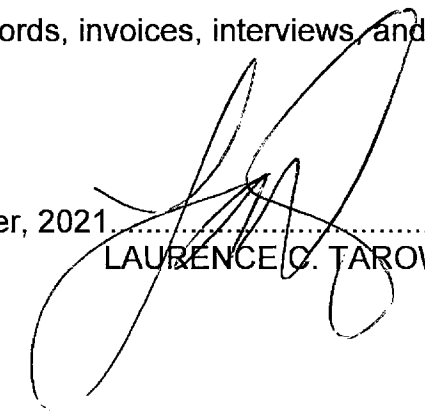
LAURENCE C. TAROWSKY, ESQ., being duly sworn, deposes and says,  
that:

The undersigned is an attorney admitted to practice in the courts of New York; is the attorney of record for the plaintiff(s) in the within action; has read the foregoing Summons with Notice and Verified Complaint and knows the contents thereof; the same is true to affirmant's own knowledge, except as to those matters said to be upon information and belief and as to those matters, affirmant believes it to be true. This verification is made by affirmant because the plaintiff does not reside in the county where affirmant maintains an office.

The grounds of affirmant's belief as to matters not stated upon affirmant's own knowledge are as follows:

investigations, medical records, invoices, interviews, and, from information in affirmant's file.

Affirmed this 9th day of September, 2021.....  
LAURENCE C. TAROWSKY



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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JILL AAL,

Plaintiff,

-against-

D&A CONTRACTING, LLC, THOMAS A. MICHETTI, 3RD,

Defendants.

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SUMMONS AND VERIFIED COMPLAINT

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**LAURENCE C. TAROWSKY, ESQ.**  
Attorney(s) for Plaintiff(s)  
**575 MADISON AVENUE, 10<sup>TH</sup> FLOOR**  
**NEW YORK, NEW YORK 10022**  
**212-947-2099**

To

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

.....

Sir:-Please take notice

NOTICE OF ENTRY

that the within is a (certified) true copy of an  
duly entered in the office of the clerk of the within named court on

NOTICE OF SETTLEMENT

that an order  
settlement to the HON.  
the

day of

of which the within is a true copy will be presented for  
one of the judges of the within named Court, at  
19 at M.

on

Dated,

Yours, etc.,  
**LAURENCE C. TAROWSKY, ESQ.**  
Attorney(s) for Plaintiff(s)  
**575 Madison Avenue, 10<sup>th</sup> Floor**  
**New York, New York 10022**  
**212-947-2099**